

REMARKS

The above-identified Office Action was a final rejection of Claims 15-22 and 30 of the referenced application. The foregoing amendment to the claims is intended to place the application in condition for allowance. In view of this amendment and the following reasoning for allowance, the applicant hereby respectfully requests further examination and reconsideration of the subject application.

1. Rejection of Claims 15-22

The final Office Action rejected Claims 15, 19 and 20 of the subject application under 35 USC §102(e) as being anticipated by Krzyzanowski et al. (U.S. Publication No. 2004/0133704 A1 – hereafter “Krzyzanowski”). In addition, the final Office Action rejected Claims 16-18 and 22 of the subject application under 35 USC §103(a) as being unpatentable over Krzyzanowski in view of Tie et al. (U.S. Publication No. 2006/0143458 A1). Finally, Claim 21 of the subject application was rejected in the final Office Action under 35 USC §103(a) as being unpatentable over Krzyzanowski.

While no admission is made that the rejected claims are actually anticipated or made obvious by the cited references, the applicant has chosen to amend the claims as suggested in the final Office Action to further the prosecution of the application and expedite its allowance. More particularly, Claim 23, which was dependent from independent Claim 15, was objected to as being dependent upon that rejected base claim. The Examiner stated that it would be allowable if rewritten in independent form including all of the limitations of the base claim. The applicant affected the suggested rewriting by cancelling Claim 23 and adding its subject matter to Claim 15, thereby making Claim 15 patentable. All the other rejected claims depend from Claim 15, and so are now patentable as well.

2. Rejection of Claim 30

Claim 30 of the subject application was rejected in the final Office Action under

35 USC §103(a) as being unpatentable over Krzyzanowski. The Examiner stated that Krzyzanowski discloses all the elements of the rejected claim with the exception of repeating the transmission of the discoverable device's address data signal on a periodic basis. However, the Examiner further took Official Notice that the transmission of a discovery signal on a periodic basis is well known in the art of network device discovery. Accordingly, it was contended that it would have been obvious to combine the teachings of Krzyzanowski with the allegedly well known periodic repetition of a discovery signal transmission in order to produce the claimed invention.

While it is the applicant's position that periodically repeating the transmission of "a signal comprising data representing the address assigned to the discoverable device on the common network from the discoverable device to the discovering device, wherein the signal is not transmitted via the common network and is transmitted in a manner that substantially limits its reception to the delimited space" is not well known in the art, and while no admission is made that the rejected claim is actually made obvious by the cited reference, the applicant has chosen to cancel the rejected claim to further the prosecution of the application.

3. Summary

The applicant gratefully acknowledges the allowance of Claims 1-14 and 24-29. Additionally, in view of the foregoing amendments, the applicant respectfully submits that Claims 15-22 are now in condition for allowance as they are novel and not obvious over the cited art. Accordingly, reconsideration of the rejection of these claims is respectfully requested. Further, allowance of the claims at an early date is courteously solicited.

Respectfully submitted,



Richard T. Lyon
Reg. No. 37,385
Attorney for applicant

LYON & HARR, LLP
300 Esplanade Drive
Suite 800
Oxnard, CA 93036
(805) 278-8855